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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,501	08/29/2000	Cary Lee Bates	ROC920000109US1	8580

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 01/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/650,501

Applicant(s)

BATES ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Application History***

1. This action is responsive to the application filing, Application filed on 8/29/2000.
2. Claims 1-25 are pending in the case, claims 1, 9 and 18 are independent claims.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

- "86" in Figure 4.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The disclosure is objected to because of the following informalities:
  - The disclosure fails to disclose those reference signs listed in paragraph 3 above, which are shown in the drawings.

Appropriate correction is required.

5. The disclosure is objected to because it contains the following embedded hyperlinks and/or other form of browser-executable code:

- "<http://www.uspto.gov>" on page 3, line 7.
- "[www.uspto.gov](http://www.uspto.gov)" on page 3, line 10.

Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

6. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*"A person shall be entitled to a patent unless –*

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."*

8. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Borman et al. US Patent 6,606,654 (filed 2/14/2000, patented 8/12/2003). "*Borman et al.*" is hereafter referred to as "*Borman*"

9. **In regard to independent claim 1**, the first limitation of the claim is directed toward storing link information embedded in an electronic document. Borman recites: *"building an appropriate list of links for subsequent transfer to the user's computer system"* (column 6, lines 17-19).

The second limitation of the claim is directed toward selecting the electronic document for retrieval. Borman recites: *"the user enters a particular address of a website or server, such as web server 62, the browser sends a request to the server to transfer information"* (column 5, lines 43-46).

The third limitation of the claim is directed toward displaying link information and issuing a request for the electronic document. Borman discloses displaying the link information in Fig. 3 at reference signs 92, 94, 96, 98 and 100. Borman recites: *"the browser sends a request to the server to transfer information"* (column 5, lines 45-46).

The forth limitation of the claim is directed toward downloading the electronic document. Borman recites: "After receiving the request, web server 62 sends the home page back to computer 60 which is displayed (or played if it includes sounds) by the browser" (column 5, lines 46-48).

10. **In regard to dependent claim 2**, the claim is dependent upon claim 1 and is directed toward selecting a link from the link information prior to downloading the electronic document. Borman recites: *"the present invention constructs a list of links by building an appropriate directory structure in a staging or construction area on the web server which is subsequently transferred to the application-specific location,*

*preferably on the user's computer system, to incorporate the links into the application programs so they are available for future use after quitting the program or restarting the computer, for example. Once the links are delivered according to the present invention, the user may use the menus and/or toolbars to select a particular shortcut or link"* (column 7, lines 25-34).

11. **In regard to dependent claim 3**, the claim is dependent upon claim 1 and is directed toward storing a URL as the link information. Borman disclose a URL as the link information in Fig. 3 at reference sign 98.

12. **In regard to dependent claim 4**, the claim is dependent upon claim 1 and is directed toward storing a Java applet identifier. Borman suggests the use of identifiers is commonplace with the recitation: *"Today, it is more common to associate a pointer or identifier with the path or location so the user only has to select the pointer to access or retrieve the information"* (column 1, lines 50-53). Borman also discloses the use of Java with the recitation: *"Delivery of links may be implemented in a variety of manners without departing from the spirit or scope of the present invention. In one embodiment, the present invention utilizes an Active-X control to provide the link delivery/injection. As known by those of skill in the art, Active-X includes programming instructions which allow the Microsoft Internet Explorer browser to interact with other application programs and the user. An Active-X control may be used to provide functions which are otherwise not commonly available through standard mark-up languages, such as HTML. A variety*

*of programming languages may be used to implement an Active-X control including C++, Visual Basic, or Java, for example, as known by those of skill in the art*" (column 7, lines 36-49).

13. **In regard to dependent claim 5**, the claim is dependent upon claim 1 and is directed toward updating the link information. Borman recites: *"the present invention may dynamically generate a link list to provide the most current information to the user"* (column 10, lines 9-11).
14. **In regard to dependent claim 6**, the claim is dependent upon claim 1 and is directed toward storing a link label with the link information. Borman discloses a link label in Fig. 3 at reference sign 96.
15. **In regard to independent claim 9 and dependent claim 10**, claims 9 and 10 combined contain substantially the same subject matter as claim 1, and are rejected with the same rational.
16. **In regard to dependent claim 11**, the claim contains substantially the same subject matter as claim 2, and is rejected with the same rational.
17. **In regard to dependent claim 12**, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.
18. **In regard to dependent claim 13 and 21**, the claims contain substantially the same subject matter as claim 3, and are rejected with the same rational.

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19. **In regard to dependent claim 14 and 22**, the claims contain substantially the same subject matter as claim 4, and are rejected with the same rational.
20. **In regard to dependent claim 15 and 23**, the claims contain substantially the same subject matter as claim 6, and are rejected with the same rational.
21. **In regard to independent claim 18**, the claim contains substantially the same subject matter as claim 1, and is rejected with the same rational.
22. **In regard to dependent claim 19**, the claim contains substantially the same subject matter as claim 2, and is rejected with the same rational.
23. **In regard to dependent claim 20**, the claim contains substantially the same subject matter as claim 5, and is rejected with the same rational.
24. **In regard to dependent claims 7, 8, 16, 17, 24, and 25**, the claims are rejected for fully incorporating the deficiencies of their base claims.

### ***Conclusion***

25. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent</u>	<u>Date</u>	<u>Inventor</u>
• US-5,801,702	09-1998	Dolan et al.
• US-5,805,815 A	09-1998	Hill, William Colyer
• US-6,266,682 B1	07-2001	LaMarca et al.
• US-6,496,829 B1	12-2002	Nakamura, Kazuhiro
• US-6,553,393 B1	04-2003	Eilbott et al.
• US-6,585,777 B1	07-2003	Ramaley et al.
• US-6,597,377 B1	07-2003	MacPhail, Margaret Gardner

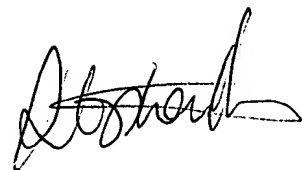


26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (703) 305-4672. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Gregory J Vaughn  
January 2, 2004



STEPHEN S. HOFF  
PRIMARY EXAMINER